Chapter 37
Special Police Officer

General Order: 01 /2020
Effective Date: 2/5/2020

Accreditation Standards: 16.3.1, 16.3.2, 16.3.3, 16.3.4, 16.3.5, 16.3.6, 16.3.7, 16.3.9
Mass. Gen. Law:
Other:

POLICY: 16.3.1

It is the policy of the Waltham Police Department to maintain a trained and qualified group of special police officers to assist with traffic assignments, special events, and to be available in the event of a major catastrophe or critical incident when the compliment of regularly sworn officers needs to be supplemented. In order to meet these needs the Waltham Police Department will utilize retired Waltham police officers as special police officers, pursuant to the city of Waltham Charter, Article 14, Section 2(b), as a resource that is rich in training, experience, and knowledge of the department and community.

PROCEDURES: 16.3.2, 16.3.9

A. SELECTION AND QUALIFICATIONS FOR SPECIAL POLICE OFFICER

The Chief of Police may appoint, as necessary, retired Waltham police officers as special police officers.

Not every retired Waltham police officer will automatically be selected to serve as a special police officer.

The selection of a special police officer is at the sole discretion of the Chief of Police.

A special police officer shall not be subject to chapter 31 (Civil Service), section 96B of chapter 41 (Police Training), section 99A of chapter 41 (Residency), chapter 150E (Labor Relations) or chapter 151A (Unemployment Insurance) of the General Laws.

A special police officer shall not be subject to section 85H or 85H ½ (Disability Retirement) of said chapter 32 or eligible for the benefits.

A special police officer shall not be eligible for special leave, vacation or other benefits.

THE SELECTION CRITERIA IS AS FOLLOWS:

1. The candidate shall have been a regular Waltham police officer and retired based on superannuation.

2. The candidate must have had a satisfactory disciplinary record as a regular member of the Waltham Police Department.

3. The candidate must have retired within five years from the date of appointment as a special police officer.

4. The candidate must pass a medical examination to be performed by a physician. Documentation must be obtained from the physician indicating that the candidate is able to perform the essential duties of a special police officer as described in this General Order and policy. All costs for the exam shall be borne by the candidate.

5. Prior to appointment, a candidate shall be subject to a preliminary background investigation and drug test. The drug test cost shall be borne by the candidate. A more extensive background investigation may be conducted at any time for any reason, the chief has sole and absolute discretion.

6. The candidate must possess a valid License to Carry (LTC) and must maintain a valid LTC while serving as a special police officer.

7. The candidate must possess a valid Massachusetts driver's license.

8. The candidate must meet the minimum educational standards that a newly hired police officer would be required to possess at the time of appointment. **16.3.9**

9. The candidate shall be subject to the same maximum age restrictions as applied to a regular Waltham police officer under chapter 32 of the General Laws.

APPROVAL: When documentation has been submitted confirming that all of the selection and qualification criteria have been met and approved by the Chief of Police, the candidate selected shall be appointed as a special police officer by the Chief, with the approval of the Mayor, in accordance with Section 14-2(b) of the City Ordinances.

The Waltham City Clerk shall keep a record of all special police officer appointments.

The special police officer shall be re-appointed annually.

Special police officers can sign up for detail work on the shifts that they will be available to work. Appointment as a special police officer shall not entitle that person to assignment to any particular paid detail. Assignment to any detail is the sole discretion of the Chief of Police or his designee.

REMOVAL: A special police officer is subject to removal by the Chief of Police at any time for any reason.

B. TRAINING: 16.3.3, 16.3.5, 16.3.6

Once selected, special police officers must maintain the following minimum training requirements:

1. Annual successful completion of a Massachusetts Police Training Committee (MPTC) approved in-service training program, which shall include CPR/First Responder Certification, Defensive Tactics and Legal Updates;

2. Annual MPTC firearms qualification in the current department issued firearm;

3. Annual review and sign-off of the department's use of force policy, pursuit policy, emergency operations policy, harassment policy and biased policing policy; and

4. Any other training that is prescribed by the Chief of Police or the Department Training Officer.

   Special police officers must complete all training requirements on their own time.

C. **DUTIES AND RESPONSIBILITIES:** An individual holding the rank of special police officer shall be responsible for the efficient performance of required duties in conformance with the rules, regulations, policies and procedures of the Waltham Police Department.

1. The primary duty of a special police officer is to supplement the department's staffing with detail assignments.

2. Special police officer duties shall consist of, but not be limited to, a number of activities necessary to insure the stability and safety of the community. A special police officer is expected to:

   a) Aid individuals who are in danger of physical harm;
   b) Facilitate the movement of vehicle and pedestrian traffic;
   c) Identify problems that are potentially serious law enforcement or governmental problems;
   d) Create and maintain a feeling of security in the community;
   e) Promote and preserve the peace; and

f) Provide other services on an emergency basis or as warranted by the Chief of Police.

3. A special police officer is subject to the same rules and regulations, policies and procedures, directives, and orders, as full time Waltham police department employees, except as modified by this General Order and policy. **16.3.6**

4. A special police officer, when working, has the same authority and powers of arrest as a full time Waltham Police Officer.

5. When working a paid detail, a special police officer's compensation shall be the same detail rate as full-time Waltham Police Officers. Should the City utilize special police officers for anything other than privately paid details, the rate of compensation to be paid by the City shall be determined by the City Council, in accordance with Section 14-9 of the City Ordinances.

D. EQUIPMENT AND UNFORMS: 16.3.4

1. A special police officer must purchase and maintain their own equipment and uniforms. The Waltham police department will issue a firearm of the same make and model issued to regular Waltham police officers, ammunition and a police radio.

2. A special police officer shall wear the same uniform and adhere to the same uniform and equipment regulations as full time officers. However, a special police officer's badge shall indicate that the officer is a "Special" police officer and a rocker with the word "Special" will be placed over the Waltham police patch.

E. INJURY ON DUTY:

A special police officer shall be subject to sections 100 (Indemnification) and 111F (Injured on Duty) of chapter 41 of the General Laws.

The amount payable under said section 111F shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 52 weeks before the incapacity.

In no event shall payment under said section 111F exceed, in any calendar year, the limitation on earnings contained in paragraph (b) of section 91 of chapter 32 of the General Laws (Payment of pensioners for services after retirement).

Payment under section 111F of chapter 41 of the General Laws shall terminate in accordance with said section 111F or when a special police officer reaches the age of 65, whichever occurs first.